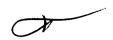


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/092,796	03/07/2002	Jonathan D. Smith	RBC-101US	RBC-101US 3409	
24314	7590 09/08/	3			
-	SHUPE & MUNO	EXAM	EXAMINER		
245 MAIN S' RACINE, W			HAYES, BRET C		
			ART UNIT	PAPER NUMBER	
			3644		
			DATE MAILED: 09/08/2003	1	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
Advisory Action	10/092,796	SMITH, JONATHAN	I D.
*	Examiner	Art Unit	
•	Bret C Hayes	3644	
The MAILING DATE of this communication appe	ears on the cover sheet with the c	orrespondence add	ress
THE REPLY FILED 11 August 2003 FAILS TO PLACE T Therefore, further action by the applicant is required to average in a section under 37 CFR 1.113 may only be either: (1) condition for allowance; (2) a timely filed Notice of Appea Examination (RCE) in compliance with 37 CFR 1.114.	void abandonment of this applica ) a timely filed amendment whicl I (with appeal fee); or (3) a timel	ation. A proper reply n places the applica	y to a Ition in
_	EPLY [check either a) or b)]		
a) The period for reply expires 3 months from the mailing date b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The fee have been filed is the date for purposes of determining the period of fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of (2) as set forth in (b) above, if checked. Any reply received by the Officianely filed, may reduce any earned patent term adjustment. See 37 C	Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing is FILED WITHIN TWO MONTHS OF The date on which the petition under 37 CF of extension and the corresponding amount the shortened statutory period for reply the later than three months after the mail	g date of the final rejecting FINAL REJECTION.  R 1.136(a) and the apprount of the fee. The appropriationally set in the final	on. See MPEP  opriate extension opriate extension Office action; or
1. A Notice of Appeal was filed on Appellant's 37 CFR 1.192(a), or any extension thereof (37 CFF	R 1.191(d)), to avoid dismissal o	eriod set forth in f the appeal.	
2. The proposed amendment(s) will not be entered be			
(a) they raise new issues that would require further	· ·	see NOTE below);	
(b) they raise the issue of new matter (see Note b	,·		
<ul><li>(c)  they are not deemed to place the application in issues for appeal; and/or</li></ul>	n better form for appeal by mate	rially reducing or sir	nplifying the
(d) they present additional claims without canceli	ng a corresponding number of fi	nally rejected claim	S.
NOTE: See Continuation Sheet.			
3. Applicant's reply has overcome the following reject	ion(s):		
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	be allowable if submitted in a se	eparate, timely filed	amendment
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for application in condition for allowance because:	reconsideration has been consi	dered but does NO	T place the
<ol> <li>The affidavit or exhibit will NOT be considered becaraised by the Examiner in the final rejection.</li> </ol>	ause it is not directed SOLELY to	o issues which were	e newly
<ol> <li>For purposes of Appeal, the proposed amendment explanation of how the new or amended claims wo</li> </ol>	(s) a)⊡ will not be entered or b) ould be rejected is provided belo		ind an
The status of the claim(s) is (or will be) as follows:			
Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected:  Claim(s) withdrawn from consideration:		,	
8. The proposed drawing correction filed on is	a) approved or b) disapp	roved by the Examir	ner.
9. Note the attached Information Disclosure Statemen		•	•
0. Other:	Charles SURFERSON	es T. Opidar 10 T. 10 Op	ָר

r,



Continuation of 2. NOTE: the examiner provided adequate rejection of the claims as relating to cranberries having mature mass of less than 0.75 grams in the first Office Action, Paper No. 4. In response, when Applicant could well have amended the claims to their current language, Applicant chose to argue the rejection without amending the claims substantially. The examiner has met the obligations of the office.